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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☒ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR

Case No. BK-S-06-10726-LBR

Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR

Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**NOTICE OF ENTRY OF ORDER  
SUSTAINING OBJECTION OF USACM  
TRUST TO CHARLES O. and FLORA A.  
NICHOLS' CLAIM FILED IN WRONG  
DEBTOR'S CASE; AND SUSTAINING  
OBJECTION OF DTDF TO PROPOSED  
ALLOWANCE OF CLAIM; AND  
CERTIFICATE OF SERVICE**

Hearing Date: October 15, 2007

Hearing Time: 9:30 a.m.

**PLEASE TAKE NOTICE** that on the 25th day of October 2007, the Court in the above-captioned case entered its Order Sustaining Objection of USACM Trust to Charles O. and Flora A. Nichols' Claim Filed in Wrong Debtor's Case; and Sustaining Objection of DTDF to Proposed Allowance of Claim, a copy of which is attached hereto.

///

1 DATED this 25th day of October 2007.

2 **LEWIS AND ROCA LLP**

3 By /s/ Anne M. Loraditch (008164)

4 Susan M. Freeman

5 Rob Charles

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12 **CERTIFICATE OF SERVICE**

13 I certify that a copy of the foregoing was served via first class mail, postage  
14 prepaid, addressed as set forth below, on this 25th day of October, 2007 to:

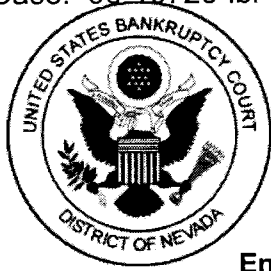
15 Charles O. and Flora A. Nichols

16 2561 Seascape Drive

17 Las Vegas, Nevada 89128

18 By /s/ Tamika Shauntee

19 Tamika Shauntee, Lewis and Roca LLP



Entered on Docket  
October 25, 2007

Hon. Linda B. Riegler  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,

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USA SECURITIES, LLC,

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Case No. BK-S-06-10725-LBR

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Case No. BK-S-06-10728-LBR

Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under

Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING OBJECTION OF  
USACM TRUST TO CHARLES O. AND  
FLORA A. NICHOLS' CLAIM FILED IN  
WRONG DEBTOR'S CASE; AND  
SUSTAINING OBJECTION OF DTDF TO  
PROPOSED ALLOWANCE OF CLAIM**

Hearing Date: October 15, 2007

Hearing Time: 9:30 a.m.

**Affects:**

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☒ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

The Court having considered the “Objection of USACM Trust to Charles O. and Flora A. Nichols’ Claim Filed in Wrong Debtor’s Case; Objection of DTDF to Proposed Allowance of Claim” [Docket No. 4684] (the “Objection”); with appearances as set forth in the record at the hearing noted above; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

**IT IS HEREBY ORDERED** that:

1. The Objection is sustained;
2. Proof of Claim No. 10725-00479 is disallowed in its entirety as against USA Commercial Mortgage and USA Capital Diversified Trust Deed Fund, LLC (“DTDF”); and
3. Charles O. and Flora A. Nichols’ equity interest in DTDF is allowed in the amount of \$864,851.83, as reflected in DTDF’s books and records as of April 13, 2006.

PREPARED AND RESPECTFULLY SUBMITTED BY:

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